IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 168 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 05/01/2005 in WP No. 30 OF 2005 on the file of the High Court.)

Between:

1 Irlapati Nageshwar Rao, S/o. Venkata Subbaiah,
Thallapudi Vill & Mandal, West Godavari Dsitrict.
2 KOtra Ramayaih, S/o. Somaiah,
Thallapudi Vill & Mandal, West Godavari Dsitrict.
3 Vuba Kiran Kumar, S/o.V.Balaiah,
Thallapudi Vill & Mandal, West Godavari Dsitrict.

..... APPELLANTS

AND

1 The District Collector, West Godavari.
2 The Revenue Divisional Officer, Thallapudi, West Godavari District.
3 The Mandal Revenue Officer, Thallapudi Mandal, West Godavari District.

.....RESPONDENTS

Counsel for the Appellants:SMT.N.SHOBA

Counsel for the Respondents : GP FOR REVENUE

The Court, at the stage of admission, made the following :

JUDGMENT: *(per BRSR,J)*

We find no legal infirmity in the order passed by the learned Single Judge in disposing of the writ petition with the observations made therein, which in our considered opinion, protects the interest of the appellants herein. The learned Judge came to the right conclusion that there is no cause of action for filing this writ petition. The learned Judge, however, having stated so, observed that the respondents are bound to follow the law and the procedure and specify the reasons for action, if any, to be taken against the appellants. The learned Judge made it clear that the appellants herein cannot be dispossessed without passing an appropriate order in accordance with law. The learned Judge practically granted the relief sought for by the appellants herein. Though the learned Judge used the expression that the "writ petition stands dismissed", which in our considered opinion, itself will not make any difference since the respondents are bound by the observations made by the learned Judge in the order.

The writ appeal is accordingly disposed of.

(B.Sudershan Reddy,J)

Dated:21-02-2005

(C.V.Ramulu,J)

GJ/GS

To

1 The District Collector, West Godavari District.
2 The Revenue Divisional Officer, Thallapudi, West Godavari District.
3 The Mandal Revenue Officer, Thallapudi Mandal, West Godavari District.

4. Two C.Cs. to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (OUT)

5. Two C.D. copies.